

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

April 10, 2006

**C048325 SAFCO PRODUCTS COMPANY v. DENSON INTERNATIONAL, LTD.
(Not for Publication)**

The order granting the motion to quash is affirmed. Safco shall pay
Denson's costs of this appeal.

MORRISON, Acting P.J.

We Concur: Robie, J.
Butz, J.

**C047178 THE PEOPLE v. SPENCER
BY THE COURT:**

Appellant's petition for rehearing is denied.
DAVIS, Acting P.J.

**C048587 YEE et al. v. FIRE INSURANCE EXCHANGE et al.
LASURE et al. v. FIRE INSURANCE EXCHANGE**

**C048710 YEE et al. v. FIRE INSURANCE EXCHANGE et al. and MATHENY SEARS
LINKERT & LONG et al.
LASURE et al. v. FIRE INSURANCE EXCHANGE and MATHENY SEARS
LINKERT & LONG et al.
THE COURT:**

It is ordered that the opinion filed in this case on March 10, 2006, be
modified in the following particulars...

...This modification does not change the judgment.

The petition for rehearing is denied.

FOR THE COURT:

SCOTLAND, P.J.
NICHOLSON, J.
HULL, J.

April 11, 2006

C049497 THE PEOPLE v. KINDRIX (Not for Publication)

The judgment is affirmed.

MORRISON, J.

We Concur: Sims, Acting P.J.
Nicholson, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

April 12, 2006

- C047810 THE PEOPLE v. FAIRBANKS (Not for Publication)**
The judgment is affirmed.
MORRISON, J.
I concur: Cantil-Sakauye, J.
I concur in the result:
Raye, Acting P.J.
- C048306 THE PEOPLE v. LIMONES et al. (Not for Publication)**
The judgments are affirmed.
HULL, J.
We Concur: Sims, Acting P.J.
Robie, J.
- C049071 THE PEOPLE v. ROJAS (Not for Publication)**
THE PEOPLE v. VIOLA
The judgments of Rojas and Viola are affirmed.
BUTZ, J.
We Concur: Scotland, P.J.
Nicholson, J.
- C049802 THE PEOPLE v. WALLACE (Not for Publication)**
The judgment is modified... The judgment is affirmed as modified. The trial court is directed to forward an amended abstract of judgment to the Department of Corrections and Rehabilitation.
CANTIL-SAKAUYE, J.
We Concur: Blease, Acting P.J.
Morrison, J.
- C049201 MINERAL ASSOCIATIONS COALITION et al. v. STATE MINING AND GEOLOGY BOARD (CERTIFIED FOR PUBLICATION)**
The judgment is affirmed. (CERTIFIED FOR PUBLICATION)
BUTZ, J.
I concur: Blease, Acting P.J.
I respectfully dissent...
Nicholson, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

April 13, 2006

- C047790 THE PEOPLE v. UMANA et al. (Certified for Partial Publication)**
The convictions of both defendants on all counts are affirmed. Umana's sentence is modified... As so modified, the judgment are affirmed.
HULL, J.
We Concur: Sims, Acting P.J.
 Robie, J.
- C049999 THE PEOPLE v. POYTHRESS (Not for Publication)**
The trial court is directed to prepare a corrected abstract of judgment... The judgment is affirmed.
MORRISON, Acting P.J.
We Concur: Robie, J.
 Butz, J.
- C050191 THE PEOPLE v. MORALES (Not for Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Sims, J.
 Davis, J.
- C047051 JENKINS v. MALMIN et al. (Not for Publication)**
The judgment is affirmed. The defendants are awarded their costs on appeal. (Cal. Rules of Court, rule 27(a)(1).)
BLEASE, Acting P.J.
We Concur: Sims, J.
 Robie, J.
- C049013 SULLY-MILLER CONTRACTING COMPANY v. CALIFORNIA
OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD and
DEPARTMENT OF INDUSTRIAL RELATIONS, DIVISION OF OCCUPATIONAL
SAFETY AND HEALTH (CERTIFIED FOR PUBLICATION)**
The judgment is affirmed. The Division of Occupational Safety and Health and the Occupational Safety and Health Appeals Board are awarded their costs on appeal. (Cal. Rules of Court, rule 27(a)(1).)
BLEASE, Acting P.J.
We Concur: Nicholson, J.
 Cantil-Sakauye, J.
- C049915 A.B. et al. v. A.C. (Certified for Partial Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Nicholson, J.
 Butz, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

April 13, 2006, continued

**C050380 In re MARKAYLA W. et al.; SACRAMENTO COUNTY DEPARTMENT OF
HEALTH AND HUMAN SERVICES v. LATEISHA O.**

(Not for Publication)

The order terminating parental rights is reversed and the matter is remanded for the limited purpose of securing compliance with the notice provisions of ICWA...

MORRISON, Acting P.J.

We Concur: Robie, J.

Butz, J.

**C050442 In re NICOLE M.; BUTTE COUNTY DEPARTMENT OF EMPLOYMENT AND
SOCIAL SERVICES v. HOLLY M.** **(Not for Publication)**

The order of the juvenile court terminating appellant's parental rights is affirmed.

MORRISON, Acting P.J.

We Concur: Robie, J.

Butz, J.

**C048147 THE PEOPLE v. BROWN
BY THE COURT:**

Appellant's petition for rehearing is granted. The decision filed on March 17, 2006, is vacated...

... The letter briefs shall be due on April 26, 2006, and unless a party requests oral argument therein the matter will stand resubmitted upon the filing of the briefs.

DAVIS, Acting P.J.

**C051585 THE PEOPLE v. KELLEY
BY THE COURT:**

Appellant has been notified pursuant to rule 17(a)(1) of the California Rules of Court and has not filed the appellant's opening brief of requested the appointment of counsel. Therefore, the appeal filed on December 27, 2005, is dismissed.

SCOTLAND, P.J.

**C051635 THE PEOPLE v. JONES
BY THE COURT:**

Appellant has been notified pursuant to rule 17(a)(1) of the California Rules of Court and has not filed the appellant's opening brief of requested the appointment of counsel. Therefore, the appeals filed on January 3, 2006, is dismissed.

SCOTLAND, P.J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

April 14, 2006

- C047321 THE PEOPLE v. VASQUEZ (Not for Publication)**
Defendant's conviction for violating section 273.5 is reversed... Following a retrial or waiver thereof by the People, the court shall resentence defendant in accordance with the views expressed in this opinion.
HULL, J.
We Concur: Sims, Acting P.J.
 Davis, J.
- C049583 THE PEOPLE v. NORRIS (Not for Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
I concur: Davis, J.
I concur in the result:
 Sims, J.
- C048339 THE PEOPLE v. RUSSELL (Not for Publication)**
BY THE COURT:
The opinion in the above entitled matter filed March 16, 2006, was not certified for publication in the advance sheets and official reports.
For good cause it now appears that the opinion should be published and accordingly, it is ordered that the opinion be published in the advance sheets and official reports. (CERTIFIED FOR PUBLICATION.)
FOR THE COURT:
BLEASE, Acting P.J.
DAVIS, J.
CANTIL-SAKAUYE, J.